

24.02.2023.
Court No.13
Item No. 5
ap

W.P.A. No. 23388 of 2022
With
I.A. No. CAN 1 of 2023
Sayed Darain Ahsan @ Darain
Versus
The State of West Bengal & Ors.

Mr. Arka Pratim Chowdhuri,
Mr. Sunny Nandy,
Mr. Nurnobi Seikh.

...For the petitioner.

Re: CAN 1 of 2023 (Restoration)

Sufficient grounds are available to explain the absence of the petitioner and/or his Counsel on 3rd January, 2023 before this Court.

The said order is recalled and the writ petition is restored to its file and number.

Accordingly, CAN 1 of 2023 is disposed of.

There will be, however, no order as to costs.

Re: W.P.A. No. 23388 of 2022

Mr. Sarbendra Chakraborti, Officer-in-charge, Law Cell, Directorate of Correctional Services, West Bengal is personally present in Court.

The Director of Correctional Services, Government of West Bengal has filed a report objecting to the premature release of the petitioner.

A copy of such report has been handed over to the Counsel for the petitioner. The petitioner may take exception to the same upon prior service to the

Director of Correctional Services, Government of West Bengal within a period of one week from date.

It is submitted by the Counsel for the petitioner that C.R.R. No. 4138 of 2022 and C.R.R. No. 4429 of 2022 have been filed in respect of the FIRs registered against the petitioner for alleged offence while he was on payroll.

This Court is of the view that the instant writ petition should be taken up only after final decision in the aforesaid CRRs.

Let this matter go out of the list for the time being. Liberty to mention.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)